

FILED
ASHEVILLE, NC
JUL 13 2012
U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION**

UNITED STATES of AMERICA

Docket No.: 2:11cr34

vs.

ERVIN IVANDALE CROWE,

Defendant

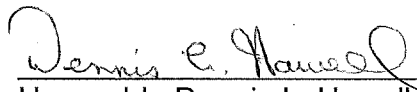
ORDER FOR TRANSFER OF CUSTODY

BEFORE THE COURT on the Government's Motion, filed July 13, 2012, for the temporary transfer of custody of Defendant ERVIN IVANDALE CROWE. The Court has carefully reviewed the motion, and good cause has been shown to justify the temporary transfer of custody of ERVIN IVANDALE CROWE from the United States Marshals Service to Chief of Police Ben Reed of the Cherokee Indian Police Department ("Chief Reed") and/or Cherokee Indian Police Officer David Valez ("Officer Valez"). The Court finds that Chief Reed and Officer Valez are "appropriate persons" under 18 U.S.C.A. §3142(i) to receive temporary custody of Defendant; the Court hereby allows such motion. The transfer shall be subject to the following conditions:

- (1) The United States Marshals Service shall allow the intermittent and periodic transfer of custody of Defendant ERVIN IVANDALE CROWE to Chief Reed and/or Officer Valez during the period from 7:00 a.m. July 14, 2012, until 2:00 p.m. July 14, 2012. Defendant ERVIN IVANDALE CROWE shall be returned to the custody of the United States Marshals Service at the same facility from which custody was obtained unless otherwise directed by the United States Marshal no later than 2:00 p.m.

- (2) Custody of Defendant ERVIN IVANDALE CROWE may be given to Chief Reed and/or Officer Valez and the United States Marshals Service shall not turn over custody of Defendant ERVIN IVANDALE CROWE unless Chief Reed and/or Officer Valez is present.
- (3) When Defendant ERVIN IVANDALE CROWE is picked up, Chief Reed and/or Officer Valez shall use the same security and restraints used by the United States Marshals Service when transporting a prisoner; i.e., Defendant ERVIN IVANDALE CROWE shall be placed in handcuffs and leg shackles whenever being transported. Defendant ERVIN IVANDALE CROWE is to be in the constant physical custody of Chief Reed and/or Officer Valez during this period of intermittent custody.
- (4) Chief Reed and/or Officer Valez shall provide reasonable notice to the United States Marshals Service when he intends to obtain custody of Defendant ERVIN IVANDALE CROWE.

SO ORDERED AND ADJUDGED this, the 13th day of July 2012.



Honorable Dennis L. Howell,
United States Magistrate Judge
Western District of North Carolina